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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

HUSEIN HELAIQA,)
Plaintiff,) No. C 07-1253 MHP
v.)
Department of Homeland Security, MICHAEL)
CHERTOFF, Secretary; U.S. Attorney General,)
ALBERTO R. GONZALES; United States)
Citizenship and Immigration Services, EMILIO)
T. GONZALEZ, Director; United States)
Citizenship and Immigration Services,)
ALFONSO AGUILAR, Chief; United States)
Citizenship and Immigration Services, DAVID)
STILL, District Director and ROBERT)
MUELLER, III, Director of Federal Bureau of)
Investigation,)
Defendants.)

STIPULATION TO EXTEND DATE OF
CASE MANAGEMENT CONFERENCE;
AND ~~PROPOSED~~ ORDER

The plaintiff, by and through his attorney of record, and defendants, by and through their attorneys of record, hereby stipulate, subject to approval of the Court, to a 60-day extension of the case management conference in this case, based on the following:

1. The plaintiff filed an application for naturalization with the United States Citizenship and Immigration Services (USCIS) on March 28, 2005.
2. As part of its processing of the naturalization application, the USCIS asked the FBI to conduct a name check of the plaintiff.

1 3. The plaintiff was interviewed by the USCIS on his naturalization application on or about
2 August 2, 2005.

3 4. To date, the FBI has not yet completed the name check of the plaintiff.

4 5. On March 2, 2007, the plaintiff filed an action under 8 U.S.C. § 1447(b), which provides
5 that if the USCIS has failed to make a determination on an individual's application for
6 naturalization within 120 days after the date on which the applicant is examined, the applicant may
7 apply to the United States District Court for a hearing on the matter, and the District Court "may
8 either determine the matter or remand the matter, with appropriate instructions, to the Service to
9 determine the matter." 8 U.S.C. § 1447(b).

10 6. The USCIS asked the FBI to expedite the processing of the plaintiff's name check on March
11 27, 2007.

12 7. The parties respectfully ask this Court to extend the date of the case management
13 conference, currently scheduled for June 11, 2007, for approximately sixty days in light of the
14 reasonable possibility that the FBI will complete the name check within that period of time and the
15 USCIS can then adjudicate the naturalization application.

15 USCIS can then adjudicate the naturalization application. August 27,
16 7. The parties ask this Court to re-schedule the case management conference for ~~August 13,~~
17 2007, at 4:00 p.m.

19 || Dated: June 4, 2007

Respectfully submitted,

SCOTT N. SCHOOLS
United States Attorney

/s/
EDWARD A. OLSEN
Assistant United States Attorney
Attorneys for Defendants

25 || Dated: June 4, 2007

/s/
GERI N. KAHN
Attorney for Plaintiff

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ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Date: June 5, 2007

